

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 10 NORTH IH-35 SERVICE ROAD SOUTHBOUND IN THE RAINEY STREET SUBDISTRICT OF THE WATERFRONT OVERLAY COMBINING DISTRICT, FROM DOWNTOWN MIXED USE-CONDITIONAL OVERLAY (DMU-CO) COMBINING DISTRICT TO CENTRAL BUSINESS DISTRICT-CONDITIONAL OVERLAY (CBD-CO) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from downtown mixed use conditional overlay (DMU-CO) combining district to central business district conditional overlay (CBD-CO) combining district on the property described in Zoning Case No. C14-05-0067, on file at the Neighborhood Planning and Zoning Department, as follows:

A 0.358 acre tract of land, more or less, consisting of two parcels of land identified as:

Tract One: A 13,629 square foot tract of land, more or less, out of Outlot 71, Division O of the Government Outlots, Original City of Austin, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance; and

Tract Two: A 1,971 square foot tract of land, more or less, being a portion of that certain vacated Waterfront Street, a street in the R.C. Lambie Subdivision, Original City of Austin, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance (the "Property"),

locally known as 10 North IH-35 Service Road Southbound, in the Rainey Street subdistrict of the waterfront overlay combining district in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "C".

1 **PART 2.** The Property within the boundaries of the conditional overlay combining district
2 established by this ordinance is ~~subject to the following conditions.~~

3
4 The maximum height for a building or structure on the Property is 120 feet from
5 ground level.

6
7 ~~Except as specifically restricted under this ordinance, the Property may be developed and~~
8 ~~used in accordance with the regulations established for the central business district (CBD)~~
9 ~~base district and other applicable requirements of the City Code.~~

10
11 **PART 3.** This ordinance takes effect on _____, 2005.

12
13
14 **PASSED AND APPROVED**

15
16
17
18 _____, 2005

19 Will Wynn
20 Mayor

21
22
23 **APPROVED:**

24 David Allan Smith
25 City Attorney

ATTEST:

Shirley A. Brown
City Clerk